



07-02-04

1648 TFW

Express Mail No.: EV 456 933 494 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Capon *et al.*

Confirmation No.: 9053

Application No.: 09/126,559

Group Art Unit: 1648

Filed: July 30, 1998

Examiner: Z. Lucas

For: COMPOSITIONS AND METHODS
FOR DETERMINING ANTI-VIRAL
DRUG SUSCEPTIBILITY AND
RESISTANCE AND ANTI-VIRAL
DRUG SCREENING

Attorney Docket No.: 11068-043-999

TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith a Revocation and Power of Attorney executed by Kathy Hibbs on behalf of ViroLogic, Inc., the Assignee of the entire interest in the above-identified patent.

Applicants request that the Revocation and Power of Attorney be made of record in the file for the above-identified patent.

It is estimated that no fee is due in connection with this transmittal. In the event that a fee is required, please charge the required fee to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: June 30, 2004

David C. Pauling

56,056

(Reg. No.)

For: Nikolaos C. George (Reg. No. 39,201)

JONES DAY

222 East 41st Street

New York, New York 10017-6702

(212) 326-3939

Enclosure



Express Mail No. EV 456 933 494 IIS

POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: CAPON *et al.*

Confirmation No.: 9053

Serial No.: 09/126,559

Art Unit 1648

Filed: July 30, 1998

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For: COMPOSITIONS AND METHODS FOR
DETERMINING ANTI-VIRAL DRUG
SUSCEPTIBILITY AND RESISTANCE
AND ANTI-VIRAL DRUG SCREENING

Attorney Docket No.: 11068-043-999

REVOCATION AND POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ViroLogic, Inc., Assignee, hereby revokes any and all previous powers and appoints:

☒ Practitioners at Customer Number 20583

as its attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence address for the above-identified application to:

☒ The above mentioned Customer Number.

☒ Firm or Individual Name:

Address: Jones Day, 222 East 41st Street, New York, New York 10017

Telephone: (212) 326-3939

I am the:


☐

Applicant/Inventor

☒

Assignee of record of the entire interest. See 37 CFR 3.71.

(Statement under 37 CFR 3.73(b) is applicable)

SIGNATURE of Applicant or Assignee of Record			
Date:	6/16/04	Signature:	
		Typed Name:	Kathy Hibbs
		Position/Title:	Vice President and General Counsel

Statement Under 37 C.F.R. 3.73(b)

Virologic, Inc., states that it is:

- ☒ the assignee of the entire right, title, and interest; or
☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of either:

- ☒ An assignment from the inventor(s) of the patent application/patent identified above, a copy which is attached hereto.

OR

- ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: To:
The document was recorded in the United States Patent and Trademark Office on at
Reel , Frame , or for which a copy thereof is attached.

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- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☐ Copies of assignments or other documents in the chain of title are attached.
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE:

ViroLogic, Inc.

Date:

6/16/04

Signature:



Typed Name:

Kathy Hibbs

Position/Title:

Vice President and General Counsel

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

- ☒ Total of 1 form is submitted.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JPW

JULY 15, 1999

PTAS



COOPER & DUNHAM, LLP
JOHN P. WHITE, ESQ.
1185 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10036

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/22/1999

REEL/FRAME: 9944/0225
NUMBER OF PAGES: 5

BRIEF: CORRECTED COVERSHEET FOR RECEIVING PARTY REEL #9610/FRAME 0855

ASSIGNOR:
CAPON, DANIEL J.

DOC DATE: 11/12/1998

ASSIGNOR:
WHITCOMB, JEANNETTE M.

DOC DATE: 08/21/1998

ASSIGNOR:
PARKIN, NEIL T.

DOC DATE: 08/20/1998

ASSIGNEE:
VIROLOGIC, INC.
270 EAST GRAND AVENUE
SOUTH SAN FRANCISCO, CALIFORNIA

94080

SERIAL NUMBER: 09126559
PATENT NUMBER:

FILING DATE: 07/30/1998
ISSUE DATE:

JUL 21 1999

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Patent and Trademark Office
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JULY 15, 1999

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FROM: ASSIGNMENT DIVISION
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PROPERTY NUMBER: 09126559

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FEE CODE: 581 AMOUNT: 40

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MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
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UNSPECIFIED OTHER SERVICES	485

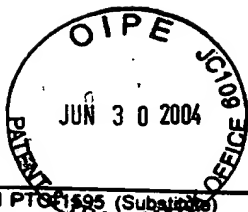
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9944/0225 PAGE 2

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
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07-14-1999



Docket No. 50130-E/JPW/JSG

FORM PTO-1595 (Substitute)
(Rev. 8-96)101071008
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Daniel J. Capon,
Jeannette M. Whitcomb, and
Neil T. Parkin

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

4-22-99

2. Name and address of receiving party(ies):

Name: ViroLogic, Inc.

Internal Address: _____

Street Address: 270 East Grand Avenue

City/State/Zip: South San Francisco, CA 94080

Additional name(s) & address(es) attached? ☐ Yes ☐ No

3. Nature of Conveyance:

☐ Assignment☐ Merger☐ Security Agreement☐ Change of Name☒ Other Corrected coversheet for

receiving party Reel# 9610/Frame# 0855

Execution Date(s):

11/12/98; 8/21/98; 8/20/98

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date(s) of the application is(are):

A. Patent Application No(s) 09/126,559

Filed: July 30, 1998

B. Patent No(s) _____

Additional numbers attached?

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: John P. White, Esq.

Internal Address: _____

Street Address: COOPER & DUNHAM, LLP

1185 Avenue of the Americas

City/State/Zip: New York, New York 10036

6. Total number of applications and patents involved: _____

7. Total fee (37 CFR \$3.41): \$ 40.00

☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

03-3125

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Albert Wai-Kit Chan

Name of Person Signing

Albert Wai-Kit Chan

Signature

Date

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Albert Wai-Kit Chan

Date

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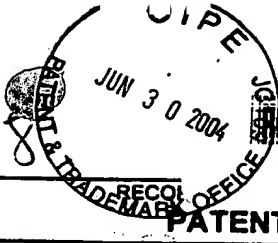
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12-03-1998



No. 50130-E/JPW/AKG/JSG

100911438

FORM PTO-1595 (Substitute)
(Rev. 8-96)

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To the Honorable Commissioner of Patents and Trademarks... Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies): Daniel J. Capon, Jeannette M. Whitcomb, and Neil T. Parkin</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: <u>Martin H. Goldstein</u></p> <p>Internal Address: _____</p> <p>Street Address: <u>Virologic Incorporated</u></p> <p><u>270 East Grand Avenue</u></p> <p>City/State/Zip: <u>South San Francisco, CA.</u></p> <p><u>94080</u></p> <p>Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
--	--

3. Nature of Conveyance:

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<input type="checkbox"/> Other _____	

Execution Date(s): 11/12/98; 8/21/98; 8/20/98

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date(s) of the application is(are):

<p>A. Patent Application No.(s) <u>09/126,559</u></p> <p><u>filed: July 30, 1998</u></p>	<p>B. Patent No.(s) _____</p>
--	-------------------------------

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: John P. White, Esq.

Internal Address: _____

Street Address: Cooper & Dunham LLP

1185 Avenue of the Americas

City/State/Zip: New York, New York 10036

6. Total number of applications and patents involved: _____

7. Total fee (37 CFR §3.41): \$ 40.00

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number: 03-3125

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Albert Wai-Kit Chan Albert Wai Kit Chan 11/18/98

Name of Person Signing Signature Date

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Albert Wai Kit Chan 11/18/98

Date

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12/02/1998 SBURNS 00000103 033125 09126559 Commissioner of Patents and Trademarks
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Assignment

In consideration of One Dollar (\$1.00). and other good and valuable considerations, the receipt of which is hereby acknowledged, we, the undersigned.

Daniel J. Capon, Jeannette M. Whitcomb, and Neil T. Parkin residing at 90 Woodridge Road, Hillsborough, CA. 94010, U.S.A.; 633 Highland Avenue, Apt. #4, San Mateo, CA. 94401; 1815 Fernwood Way, Belmont, CA., U.S.A., respectively.

Hereby sell, assign and transfer to **ViroLogic, Inc.**

*a corporation of the State of Delaware
having a place of business at 270 East Grand Avenue, S. San Francisco,
CA. 94080 in the County of San Francisco and State of California, U.S.A.
its successors, assigns and legal representatives, the entire right, title and interest for all
countries, in and to any and all inventions which are disclosed and claimed, and any and all
inventions which are disclosed but not claimed, in the application for United States Patent,
which has been executed by the undersigned on 11/12/98; 8/21/98; 8/20/98 and is entitled*

**COMPOSITIONS AND METHODS FOR DETERMINING ANTI-VIRAL DRUG SUSCEPTIBILITY AND
RESISTANCE AND ANTI-VIRAL DRUG SCREENING**

(U.S. Serial No. 09/126,559, filed July 30, 1998, claiming the benefit of
U.S. Provisional Application No. 60/054,257, Filed July 30, 1997)

*and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all
other applications for U.S. Letters Patent or other related property rights in any and all
foreign countries which have been or shall be filed on any of said inventions disclosed in said
application; and in and to all original and reissued patents or related foreign documents which
have been or shall be issued on said inventions;*

*Authorize and request the Commissioner of Patents of the United States to issue to said
Assignee, the corporation above named, their successors, assigns and legal representatives, in
accordance with this assignment, any and all United States Letters Patent on said inventions
or any of them disclosed in said application;*

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Agree that said Assignee may apply for and receive foreign Letters Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Letters Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof; testify in all legal proceedings; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representative that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

At I reserve all rights in connection with the lawsuit captioned

Date: 11/12/98 19 98

Daniel J. Capon
Daniel J. Capon

Witness: Daniel J. Capon
137 Seashore Dr.
Daly City, CA 94014

San Mateo Superior Court Case N 405984

Date: Aug 21 19 98

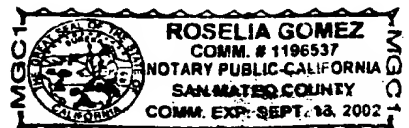
Jeannette M. Whitcomb
Jeannette M. Whitcomb

Witness: Linda D. Cruz
Linda D. Cruz
1471 El Camino Real No. 1
Burlingame, CA 94010

Jeannette M. Whitcomb [L.S.]

12 November 1998

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Neil Parkin

[L.S.]

Neil T. Parkin

Date: 8 / 20 19 98

Witness: Linda D. Cruz
Linda D. Cruz

1471 El Camino Real, No. 1
Burlingame, CA 94010

Date: _____ 19

Witness: _____

Date: _____ 19

Witness: _____

[L.S.]

[L.S.]